

Welcome To **Luna Park Hospitality!**

Here at **XXXX** the atmosphere is relaxed, while at the same time, sophisticated with a Neighborhood feel. With an emphasis on steak and fine libation you will experience Italian tradition with an innovative twist. The cuts are only the thickest and finest and the seafood is unsurpassed.

**More About Luna Park (tbf)**

President & CEO

Director of Operations

## About Your Handbook

This handbook is designed to acquaint you with **xxxx** (referred to in the handbook as **xxxx**) and provide you with information about working here. The handbook is not all inclusive but is intended to provide you with a summary of some of the organization's guidelines. This edition replaces all previously issued editions.

Employment with **xxxx** is at-will. Employees have the right to end their work relationship with **xxxx**, with or without advance notice, for any reason. **xxxx** has the same right. The language used in this handbook and any verbal statements made by management are not intended to constitute a contract of employment, either express or implied, nor are they a guarantee of employment for a specific duration.

No representative of **xxxx** other than the president of the company, has the authority to enter into an agreement of employment for any specified period and such agreement must be in writing, signed by the president and the Team member.

No employee handbook can anticipate every circumstance or question. After reading the handbook, if you have questions please talk with your immediate supervisor, your general manager or the human resources department. Also, the need may arise to change the guidelines described in the handbook. Except for the at-will nature of employment, **xxxx** reserves the right to interpret them or to change them without prior notice. In the event that the handbook information conflicts with state law, the latter governs.

Contents	
About Your Handbook	3
Your Work Environment	5
<b>Equal Employment Opportunity (EEO)</b>	6
<b>Policy Against Unlawful Harassment, Discrimination, Bullying and Retaliation</b>	6
<b>What You Should Do If You Feel You Are Being or Have Been Harassed, Discriminated Against, Bullied or Retaliated Against</b>	7
<b>Reasonable Accommodations</b>	8
<b>Drugs and Alcohol</b>	8
General Information	9
<b>Appearance Standards</b>	9
<b>Check Cashing</b>	10
<b>Solicitation</b>	10
<b>Inspection</b>	10
<b>Confidentiality</b>	11
<b>Media Requests for Information</b>	11
CONFIDENTIAL AND PROPRIETARY INFORMATION	11
<b>Use Of Company Assets</b>	12
Pay Practices	13
<b>Advance on Paychecks</b>	14
<b>Team member Status</b>	14
Categories of Employment	14
<b>Status Changes and Benefits Eligibility</b>	14
<b>Hours of Work</b>	14
<b>Pay Guidelines and Paydays</b>	14
<b>Overtime</b>	15
<b>Time Records</b>	15
<b>Tipped Team members</b>	15
Performance	16
<b>Attendance/ Punctuality</b>	17
<b>Employment of Relatives</b>	17
<b>Open Door Guidelines</b>	17
<b>Disciplinary Guidelines and Standards of Team Members Conduct</b>	17
<b>Non-Fraternization</b>	18

Company Benefits	19
<b>Paid Leave for All Workers</b>	19
<b>Workers Compensation</b>	19
<b>Use of Guest Facilities</b>	19
<b>Discounts</b>	19
Time off	20
<b>Bereavement Leave</b>	20
<b>Jury Duty</b>	20
<b>Voting</b>	20
<b>Military Leave</b>	20
<b>Personal Leaves of Absence</b>	20
<b>Family and Medical Leave (FMLA)</b>	21
Emergency Procedures	24
<b>Fire or Emergency Situation</b>	24
<b>Safety and Security</b>	24
<b>Team member Files</b>	24
ACKNOWLEDGEMENT OF THE HANDBOOK	25

## Your Work Environment

Employment at **xxxx** is at-will. You are free to end your employment with **xxxx** at any time, with or without cause. Likewise, **xxxx** may discharge an employee at any time, for any reason whatsoever, with or without cause, and with or without notice. Nothing within this handbook or within the Company's policies, practices or procedures is intended to create a contract for employment, express or implied, a guarantee of continued employment for a specific duration or interfere with, restrain, or prevent employee communications regarding wages, hours or other terms and conditions of employment. The "employment at-will" relationship cannot be altered or modified except by an express written agreement signed by you and the owner of the company.

### Equal Employment Opportunity (EEO)

**xxxx** is dedicated to the principles of equal employment opportunity in any term, condition, or privilege of employment. We do not discriminate against applicants or Team members based on race, religion, color, ancestry, sex (including pregnancy, childbirth, breast feeding, and related medical conditions), gender identity, sexual orientation, national origin, citizenship status, marital status, age, genetic information, disability, work authorization status, language, conviction/arrest record, family status, or any other protected status in accordance with all applicable federal, state, and local laws.

**xxxx** prohibits retaliation against any Team member for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or for your participation in an investigation, please follow the complaint procedure outlined in this handbook. The situation will be promptly investigated.

### Policy Against Unlawful Harassment, Discrimination, Bullying and Retaliation

The Company is committed to providing a work environment that is free of unlawful harassment, discrimination and retaliation. In furtherance of this commitment, the Company strictly prohibits all forms of unlawful discrimination and harassment, including: discrimination or harassment on the basis of race, religion, color, sex (including pregnancy, childbirth, breast feeding, and related medical conditions), gender identity, sexual orientation, national origin, citizenship status, age, genetic information, disability, or any other protected status in accordance with all applicable federal, state, and local laws.

The Company's policy against unlawful harassment, discrimination and retaliation applies to all employees, including supervisors and managers, as well as to all unpaid interns and volunteers. The Company prohibits managers, supervisors and employees from harassing co-workers as well as the Company's customers, vendors, suppliers, independent contractors and others doing business with the Company. Any such harassment will subject an employee to disciplinary action, up to and including immediate termination. The Company likewise prohibits its customers, vendors, suppliers, independent contractors and others doing business with the Company from harassing our employees.

#### Examples of Prohibited Sexual Harassment

Sexual harassment includes a broad spectrum of conduct including harassment based on sex, gender, gender identity or expression, transgender status, and sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- unwanted sexual advances;
- offering an employment benefit (such as a raise, promotion or career advancement) in exchange for sexual favors or threatening an employment detriment (such as termination or demotion) for an employee's failure to engage in sexual activity;

- visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects or pictures, cartoons or posters;
- verbal sexual advances, propositions, requests or comments;
- sending or posting sexually related messages, videos or messages via text, instant messaging, or social media.
- verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations.
- physical conduct, such as touching, groping, assault or blocking movement;
- physical or verbal abuse concerning an individual's gender, transgender status, gender identity or gender expression; and
- verbal abuse concerning a person's characteristics such as pitch of voice, facial hair or the size or shape of a person's body, including remarks that a male is too feminine, or a woman is too masculine.

#### Other Examples of What Constitutes Prohibited Harassment

In addition to the above listed conduct, the Company strictly prohibits harassment concerning any other protected characteristic. By way of illustration only, and not limitation, such prohibited harassment includes:

- racial or ethnic slurs, epithets and any other offensive remarks;
- jokes, whether written, verbal or electronic;
- threats, intimidation and other menacing behavior;
- inappropriate verbal, graphic or physical conduct;
- sending or posting harassing messages, videos or messages via text, instant messaging or social media; and
- other harassing conduct based on one or more of the protected categories identified in this policy.
- If you have any questions about what constitutes harassing behavior, ask your supervisor or another member of management.

#### Examples of Prohibited Bullying

Bullying is defined as any intentional, repeated, and hurtful behavior, whether physical, verbal, or psychological, that is intended to cause harm, distress, or fear. This includes, but is not limited to:

- Physical bullying: Hitting, pushing, or other forms of physical aggression.
- Verbal bullying: Teasing, name-calling, or threats.
- Social bullying: Spreading rumors, excluding others, or damaging relationships.
- Cyberbullying: Bullying through digital means, such as social media, text messages, or email.

#### Prohibition Against Retaliation

The Company is committed to prohibiting retaliation against those who themselves or whose family members report, oppose, or participate in an investigation of alleged unlawful harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in such an investigation includes, but is not limited to:

- Filing a complaint with a federal or state enforcement or administrative agency;
- Participating in or cooperating with a federal or state enforcement agency conducting an investigation of the Company regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Making or filing an internal complaint with the Company regarding alleged unlawful activity;
- Providing notice to the Company regarding alleged unlawful activity;
- Assisting another employee who is engaged in any of these activities.
- The Company is further committed to prohibiting retaliation against qualified employees who request a reasonable accommodation for any known physical or mental disability and employees who request a reasonable accommodation of their religious beliefs and observances.

## **What You Should Do If You Feel You Are Being or Have Been Harassed, Discriminated Against, Bullied or Retaliated Against**

If you feel that you are being or have been harassed, discriminated against, bullied, or retaliated against in violation of this policy by another employee, supervisor, manager or third party doing business with the Company, you should immediately contact [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com) , Mr. XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com), Mrs XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com). In addition, if you observe harassment by another employee, supervisor, manager or non-employee, please report the incident immediately to the individual listed above.

Supervisors who receive any complaint of harassment, discrimination bullying, or retaliation must promptly report such complaint to contact Mr. XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com), Mr. XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com), Mr. XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com). Your notification of the problem is essential to us. We cannot help resolve a harassment problem unless we know about it. Therefore, it is your responsibility to bring your concerns and/or problems to our attention so we can take whatever steps are necessary to address the situation. The Company takes all complaints of unlawful harassment seriously and will not penalize you or retaliate against you in any way for reporting a harassment problem in good faith.

All complaints of unlawful harassment which are reported to management will be investigated as promptly as possible by an impartial and qualified person and, upon conclusion of such investigation, appropriate corrective action will be taken where warranted. The Company prohibits employees from hindering internal investigations and the internal complaint procedure. All complaints of unlawful harassment reported to management will be treated as confidentially as possible, consistent with the Company's need to conduct an adequate investigation.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination. Moreover, any employee, supervisor or manager who condones or ignores potential violations of this policy will be subject to appropriate disciplinary action, up to and including termination. Additionally, under law, employees may be held personally liable for harassing conduct that violates both local and state laws.

### **Reasonable Accommodations**

The Company is committed to complying with all laws protecting qualified individuals with disabilities, are pregnant, as well as employees' religious beliefs and practices. This policy extends to all aspects of our employment practices including, but not limited to, recruiting, hiring, discipline, termination, promotions, transfers, compensation, benefits, training, leaves of absence, and other terms and conditions of employment. The Company will provide a reasonable accommodation for any known physical or mental disability of a qualified individual and/or employees' religious beliefs and practices, provided the requested accommodation does not create an undue hardship for the Company and/or does not pose a direct threat to the health or safety of others in the workplace and/or to the individual.

If you require an accommodation to perform the essential functions of your job and/or for your religious beliefs or practices, please notify Human Resources. Once the Company is aware of the need for an accommodation, the Company will engage in an interactive process to identify possible accommodations.

If you believe that you have been treated in a manner not in accordance with these policies, please notify the Company immediately by speaking to Human Resources. You are encouraged to utilize this procedure without fear of retaliation.

### **Drugs and Alcohol**

All employees are prohibited from manufacturing, cultivating, distributing, dispensing, possessing, or using illegal drugs, including cannabis or THC-containing products (regardless of prescription) or other unauthorized, mind-altering, or intoxicating substances while on Company property (including parking areas and grounds), or while otherwise performing their work duties away from the Company's premises. Included within this prohibition are lawful controlled substances which have been illegally or improperly obtained. This policy does not prohibit the possession and proper use of lawfully prescribed drugs taken in accordance with the prescription other than cannabis or THC-containing products.

Employees are also prohibited from having any such illegal or unauthorized controlled substances (including cannabis or THC-containing products regardless of prescription) in their system while at work and from having excessive amounts of otherwise lawful controlled substances in their systems. Regardless, employees must be fit for work. This policy does not apply to the authorized dispensation, distribution, or possession of legal drugs where such activity is a necessary part of an employee's assigned duties.

All employees are prohibited from distributing, dispensing, possessing, or using alcohol while at work or on duty. Furthermore, off-duty alcohol use, while generally not prohibited by this policy, must not interfere with your ability to perform the essential functions of your job. From time to time, the Company may host events where alcohol is served. During these authorized Company events, employees are permitted to engage in moderate consumption of alcohol that is served. Employees are expected to exercise good personal judgement concerning alcohol consumption and must not over indulge.

Employees who choose to consume alcohol at Company or business-related activities are expected to behave professionally and responsibly at all times. The Company has a zero-tolerance toward any employee who is abusive, intolerant of others, or creates a discriminatory act of any kind under the influence of alcohol or any other altering substance at work, at Company events or on Company business. Any behavior that is deemed inappropriate, in any altered state or while completely sober, may result in disciplinary action, up to and including termination.

## General Information

### Appearance Standards

As a representative of the restaurant, your appearance contributes greatly to the overall image and success of xxxx. At your restaurant, you will come into contact with guests, customers and co-workers and it is essential that high standards of appearance and personal hygiene be maintained. Attention should always be given to safety, and guest interaction.

You are expected to dress in accordance with your job responsibilities, franchise brand (if applicable) and company standards. If there are franchise standards at your restaurant that conflict with xxxx's standard, your supervisor will explain the proper dress requirement for your position. If you are required to wear a uniform, it must be clean, pressed and in good repair at all times. If your position does not require you to wear a uniform, you are expected to dress in a professional attire and image that is appropriate to your position as instructed by your supervisor.

- Shoes must conform to approved safety standards and be in good repair; closed toe shoes are required in most circumstances.
- Visible body piercings, tattoos and jewelry are allowed as long as body piercings, tattoos or jewelry are not construed as offensive. Individuals may be asked to cover body piercings, tattoos or remove jewelry based on management discretion.

Personal hygiene is an important part of safety requirements and professional appearance.

- Hair may be required to be restrained for safety and sanitation reasons.
- Fingernails should be clean and trimmed to a functional length.
- Measures should be taken to limit bad and offensive body odor including oral care
- Excessive amounts of perfume or cologne may be offensive or create sensitive medical conditions in co-workers or guests so please use discretion.

If you report for work improperly dressed or groomed, your supervisor may instruct you to return home to change clothes or take other appropriate corrective action. In such an instance, non-exempt Team members must clock out before leaving the restaurant.

This policy is not intended to interfere with any religious rights. This policy is intended to ensure food safety, employee safety and to meeting with xxxx's standards. If you feel this policy does interfere with your religious rights, please discuss this with the General Manager or HR.

### Check Cashing

Neither payroll nor personal checks for Team members will be cashed at the restaurant.

### Solicitation

Team members are not permitted to distribute non-business literature during working time or in working areas. Team members may not post personal notices on restaurant bulletin boards.

Non-Team members must not solicit or distribute literature on the restaurant's premises. Team members are not permitted to solicit or distribute literature to non-Team members on the restaurant's premises.

Working time does not include meal, break or rest periods or other specified times during the work shift when Team members are not engaged in performing their work tasks.

## **Inspection**

xxxx reserves the right to conduct inspections to help maintain a safe, healthy and efficient working environment for the benefit and protection of all xxxx Team members and to protect xxxx property, equipment, operations and guests. Cooperation in the conduct of inspections is required as a condition of employment.

xxxx reserves the right to inspect personal items, such as lunch boxes, toolboxes, thermoses, purses, etc., carried by individual Team members. If you have personal items, which you would not like subjected to such inspections, these items should not be brought onto xxxx premises. A search can also include company property such as xxxx vehicles, lockers, desks, filing cabinets, computer files, e-mail, and voice mail.

## **Confidentiality**

### Confidentiality and Trade Secrets Policy

The information and materials you are exposed to on the job are the property of xxxx. During your employment, you may have access to certain information that is confidential, privileged, proprietary, trade secret, or of a competitive value to xxxx. Information learned regarding xxxx' s guests, vendors and services performed during the course of employment at xxxx shall be kept confidential and remain confidential. The protection of confidential business information and trade secrets is vital to the interest and success of xxxx. All team members must protect the confidentiality of such information. For purposes of this policy, "Confidential Information" shall mean all non-public information about xxxx and its guests and information protected by law or privilege and shall include trade secrets, as well as other non-public proprietary, financial, and other confidential business information. Such information includes, but is not limited to, the following non-public information: product information, new materials research, production processes, business plans and strategies, price lists, marketing strategies, computer programs and codes, recipe manuals and other recipes created by and for the exclusive use of xxxx.

Under no circumstances should any xxxx team member use confidential business information that they learned in the course of employment with xxxx for personal gain, personal use or personal business. Disclosing confidential business information to persons not entitled to such information and/or assisting others in gaining unauthorized access to xxxx records or information are clear violations of this policy. Team members must keep such confidential business information confidential always, including after employment has ended.

Team members who improperly use or disclose trade secrets or confidential business information may be subject to disciplinary action, up to and including termination of employment and legal action. Legal action may include preliminary and permanent injunctions and relief for damages.

Team members who leave employment with xxxx must immediately return all confidential business information, documents and software, including all photocopies, notes or reproduction of all confidential company materials. The communication of false and malicious information about xxxx, its guests or its team members is also a violation of this policy.

## **Media Requests for Information**

Requests from television, newspaper or radio reporters for information about the restaurant or its guests, operations or activities are to be referred to the General Manager. Team members are not to discuss any confidential business restaurant matters with the media.

## CONFIDENTIAL AND PROPRIETARY INFORMATION

### Supplier or Customer Information

The nature of **xxxx** business gives many employees access to critical business information or personal information about our suppliers and customers. Maintaining their trust requires that you protect the confidentiality of this information. Information about a supplier's business is confidential, as is personal information about customers. Disclosure of such information within the Company should only be done on a "need-to-know" basis for a specific business purpose. Disclosure to third parties, except to comply with applicable legal requirements, is inconsistent with Company policy and, in some cases, may also be illegal.

### Data Privacy and Protection

The Company respects the privacy of individuals and is committed to protecting the personal information that is provided to, or collected by, the Company about our customers, employees, and other business partners. Personal information is any information, or combination of information, that may directly or indirectly identify an individual. The United States and many international jurisdictions have data protection laws that require the safeguarding of information about individuals with strict rules about the collection and use of personal data.

It is our responsibility to collect, use, and process any personal information we receive for legitimate business purposes and in accordance with applicable laws. Access to personal information should be limited to Company personnel who have appropriate authorization and a clear business need for that information. Even when there is a legitimate business reason to share personal information with anyone inside or outside the Company, you should first make sure that the recipient is authorized to receive the information, is aware the data is restricted, and understands how the data can be used to accomplish the specified business purpose. You should also keep in mind that there may be legal restrictions on moving or transferring personal information outside of a country.

Although the types of data covered, the nature of the protections, and the local enforcement mechanisms vary by jurisdiction, it is Company policy to comply with all applicable data protection laws. All employees are responsible for being aware of and complying with the data privacy requirements under applicable laws, regulations, and other Company policies in performing their job duties. If you have questions or concerns regarding applicable data privacy and protection laws or regulations, you should contact the Legal Department.

### Communications with the Press and Other Outside Organizations

In addition to the confidentiality restrictions described in the Code, no employee may disclose or in any way communicate confidential business or proprietary information of **xxxx** to financial or trade organizations or public or private media, except in accordance with Company policy or the owner or their authorized representatives, may authorize the release or disclosure of such information to the press or other outside organizations. Any questions regarding the release or disclosure of Company information should be directed to **MR, XXXX**, COO of **Luna Park Ilc.**

### Use Of Company Assets

**xxxx** facilities, equipment, materials, property, technology, and information have been acquired through the hard work of many people and with one goal in mind – to succeed by serving our customers. We owe it to each other and to our stockholders, suppliers, and customers to guard all Company assets against theft, loss, waste, or damage, and to ensure that we use all Company assets appropriately and for business or other management-approved purposes only.

Computers and electronic information are essential tools to support our business. We all must ensure that we are

using technology appropriately, with our values in mind, and for appropriate business purposes. Although limited personal use of computers and other technology is permitted in accordance with Company policy, it must not interfere with the full performance of your job duties.

## **Our Responsibilities**

Computers and electronic information are essential tools to support our business. We all must ensure that we are using technology appropriately. As noted in the Company's Information Security Policy and other HR policies and procedures, using the Company's computers or other technologies to gather or distribute offensive, sexually suggestive, discriminatory, harassing, pornographic or other inappropriate data or information is not allowed, whether during or after work. Electronic messages should be composed with the same care you take in composing any other Company document. Electronic messages are a lasting and recoverable written record and can easily be copied and forwarded worldwide without your knowledge or consent. You should not use the Company's e-mail system to communicate jokes or inappropriate sexually explicit or offensive statements, send unauthorized solicitations or chain letters or conduct business for another organization. The use of profanity, derogatory remarks, discriminating or harassing comments, innuendo and threatening or abusive language is strictly prohibited.

- Use Company assets only for business purposes.
- Secure your office, workstation, and equipment by locking items or completely shutting down systems.
- Report any equipment that is damaged, unsafe, or in need of repair.
- Follow all Company policies and practices and stay up to date on all required training that is designed to protect our networks, computers, programs, and data from attack, damage, or unauthorized access.
- Understand that our email and information systems are the property of the Company, as is all correspondence and material contained on these systems.
- Compose emails and other electronic communications with the same care you take in composing any other Company communication. Discriminating or harassing comments and threatening or abusive language is inappropriate and may subject you to discipline, up to and including termination of employment. Electronic messages should not contain inappropriate jokes, sexually explicit or offensive statements, or unauthorized solicitations. You should not expect individual privacy when using email and the internet, even for personal use, through Company information systems. If you receive any inappropriate communications, you should notify your manager, the Human Resources Department, or the Information Technology Department immediately.

## **Computer Security**

Employees are reminded that they play a key role in ensuring the security of Company technology assets and electronic information. You should protect Company-provided computers, mobile devices, and other technology resources from accidental loss, theft, or misuse. You should notify your manager and the **xxxx** Help Desk immediately when Company-provided computers, mobile devices, or other technology resources are lost, stolen, or compromised. You should not introduce to any Company-provided computers any software that is not properly licensed or lawfully acquired. You should not duplicate Company-owned or licensed software for use on personal devices. Your use of Company technology resources must comply with the Acceptable Use standards defined within **xxxx** Information Security Policy. For additional information, you should refer to **xxxx** Information Security Policy or contact the Information Technology Department.

To keep our computer systems and information secure, we need to take necessary actions to safeguard all passwords and identification codes to prevent unauthorized access. **xxxx** reserves the right to block offensive and illegal related sites and to monitor and intercept the entire content of any messages transmitted or stored in its system, including information that has been deleted by users. You should not expect privacy when using e-mail and the Internet. The Company monitors e-mail and Internet access to ensure they are used responsibly and professionally. Monitoring activities, when undertaken, will comply with any statutory requirements.

If you receive any inappropriate communications, you should notify your supervisor, Human Resources or the GM.

## Pay Practices

### Advance on Paychecks

xxxx does not make payments of salary or cash advances prior to payday.

### Team member Status

#### Categories of Employment

Regular Full-Time: A team member whose regular work schedule averages 30 hours or more per week.

Regular Part-Time: A team member whose regular work schedule averages less than 30 hours per week. A regular part-time team member may be eligible for certain benefits, but only as specifically provided for in this handbook or in keeping with applicable law.

Temporary: A team member hired to work on a specific basis, including during peak or seasonal periods, for specific projects or for a limited period of time. A temporary team member may work either full-time or part-time but is not considered a “regular” team member. A temporary team member is not eligible for benefits, unless specifically provided for in this Handbook or in keeping with applicable law.

Team members are also categorized as either Non-Exempt or Exempt for purposes of the minimum wage and overtime.

Non-Exempt Team Members are subject to minimum wage and overtime. Non-Exempt Team members are compensated based upon the number of hours worked each workweek.

Exempt Team Members (e.g., certain administrative, professional and executive personnel) are exempt from minimum wage and overtime and are paid on a salary basis.

### Status Changes and Benefits Eligibility

If you are a full-time Team member, your status will change to part-time if you do not average a minimum of 30 hours per week (including vacation hours) for the last two consecutive calendar quarters. If your status changes to part time, you will no longer be eligible to receive most xxxx benefits. In order for your status to be changed back to full time, you must average 30 or more work hours per week for two consecutive quarters. On the first of the month following these 2 quarters, you will again be eligible for xxxx benefits.

### Hours of Work

Hours, days, and weeks will fluctuate with business levels and staffing needs, consult your manager for your specific schedule.

### Pay Guidelines and Paydays

xxxx cannot release your check to anyone else without your written consent. The emergency mailing of your check also requires your written authorization and will only be mailed to your most current address in your personnel file.

Paychecks will be distributed by your General Manager or designated manager after 10 a.m. on the designated pay date. Any problems or questions concerning your paychecks are to be directed to your

department manager or the Human Resources Department.

### **Overtime**

Overtime means those hours greater than 40 actually worked by non-exempt Team members in any work week. All overtime work must be authorized in advance by your supervisor. It is your supervisor's decision to either allow overtime or to have you take the time off within the same work week.

xxxx's work week is Monday, 12:00am, through Sunday, 11:59pm.

Overtime pay is given for any hours worked over 40 hours per week and is paid at one and one-half times your pay rate.

### **Time Records**

To make sure you are properly paid, punch IN at the beginning of the shift and OUT at the end of the shift. The work in your department is planned on the basis that everyone reports on time. Tardiness, of course, results in lost time for which you are not paid.

Under no circumstances are you to report to work on a voluntary basis, even if it is at your request and you wish to spend your "free time" learning another position. You are to work only when scheduled to do so.

Please do not punch IN or start work more than five minutes before the normal start of your scheduled shift. For example, if your shift begins at 8:00 a.m., please do not punch IN before 7:55 a.m. unless instructed otherwise by your supervisor.

Punch OUT as soon as possible following the completion of your shift. Normally, this should not be more than five minutes following the end of your shift, unless you are authorized to work overtime. Team members must be in uniform when punching IN/OUT.

During your meal period, you must also punch your time record showing OUT and IN for the time you are taking your meal. If you work 7.5 hours, your meal period should be 20 minutes before the 5th hour of work. During this time, you are relieved of all work duties. This break is unpaid, and you should clock out at the beginning of your break and clock in at the end of your break.

Working "off the clock" is strictly prohibited. If any manager or supervisor directs you to, or suggests that you should, perform work while not "on the clock," you must notify Mr. XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com), or Human Resources, Mr. XXXX, [xxxx@lunaparkhospitality.com](mailto:xxxx@lunaparkhospitality.com), immediately. Similarly, non-exempt employees are not permitted to perform work after hours or from home without specific direction from their supervisor, and in the event such work is authorized, all time spent working must be reported on the employee's time record.

You should not punch IN and OUT for breaks. However, breaks should be limited to 10 minutes in the morning and 10 minutes in the afternoon and may not be taken without your manager's approval. Lunch and breaks are provided to rest and relax you throughout the day and may not be saved until the end of the day in order to leave early.

Punching another person's timecard is strictly prohibited. Do not falsify information on your timecard. Violation of this guideline will not be tolerated. Should you punch someone else's timecard by mistake, notify your supervisor immediately.

**Tipped Team members**

If you are a tipped Team member, federal law requires you to report all tip income to your employer. Tips are to be entered into the time clock on a daily basis.

Employers are required by the Internal Revenue Service to report the difference between tips reported as income and a percentage of the sales to which the tips apply as defined by the IRS.

Federal income tax law also states that upon failure to report tipped income to the employer, the Team member becomes liable for a penalty of the tax due on the unreported tips plus interest.

## **Attendance/ Punctuality**

Punctuality and good attendance are essential for the effective operation of the restaurant. You are an integral part of the restaurant and other people depend on you. If you are absent or even late in reporting to work, you place a burden on your fellow Team members.

You are expected to be at work and on time as scheduled. If you must be late or absent from work due to illness, injury, or emergency situation, you must notify your supervisor at least four hours before the start of your shift. If you are unable to reach your supervisor, contact the manager on duty or another member of your department's management team. If you must leave a message for a supervisor, it is your responsibility to follow up to ensure that a member of the management team received your message. When you contact your supervisor, you should indicate the reason for your absence, the time/date you expect to be able to report back to work, and a phone number where you can be reached. Confidential medical information should not be provided. "Calling off" to fellow co-workers is not acceptable. Do not rely on friends, family, or co-workers to report your absence or lateness for you unless you are physically unable to do so.

Absenteeism or tardiness that is excessive in the judgment of **xxxx** will not be tolerated. If you fail to call in for a scheduled workday, it is grounds for termination.

## **Employment of Relatives**

Managers' relatives will not be eligible for employment with the company where potential problems of supervision and morale or potential conflicts of interest exist. Relatives include a manager's parents, children, spouse, brothers, sisters, in-laws and step relationships.

Relatives of non-management employees are eligible for employment with prior management approval.

These guidelines apply to all categories of employment, including full-time, part-time and temporary classifications. They also apply to all relatives and to Team members who are not legally related, but who reside together.

## **Open Door Guidelines**

No matter how good our basic communication system may be, problems and complaints sometimes arise. To assure consideration is given to your individual problem, we encourage you to use the following procedure:

1. Discuss the situation with your immediate supervisor as soon as possible (within three to five days).
2. If resolution is not reached with your supervisor or if it is inappropriate to go to your supervisor, please discuss it with your supervisor's supervisor, Human Resources Department, or General Manager.
3. If the situation is not resolved, communicate the problem to **XXXX**, COO **Luna Park Ilc.**

## **Disciplinary Guidelines and Standards of Team Members Conduct**

**xxxx** must retain the ability to discipline employees where it determines that such action is warranted by the circumstances. Although all employment relationships are terminable at the will, at any time, either at the employee's option or at the option of the company, the company may exercise its discretion to administer a system

of progressive discipline in cases where it deems it appropriate to do so. That system may include various forms of discipline, such as verbal counseling, one or more written counseling's, and termination. However, progressive discipline is not mandatory or binding in any case. IT is also inapplicable to staff reductions and layoffs. The company reserves the right, in its discretion, to deviate from any formal system of discipline.

The following is a list of some of the more common examples of policy violations and misconduct:

- Behavior resulting in customer, vendor or Team members complaints;
- Supplying false or misleading information or falsifying any xxxx record;
- Possessing weapons on premises or off premises while performing duties for xxxx, unless otherwise permitted by applicable law;
- Refusing to follow through on reasonable, job-related instructions and requests of your supervisor or manager
- Disruptive conduct, including but not limited to: gambling; fighting; horseplay; coercion; intimidation or threats against xxxx team members or guests; vulgarity; or abusive treatment to the public or fellow team members;
- Theft , including giving away free products, or unauthorized possession or removal of property or money belonging to xxxx, its team members or a third party;
- Making threats of violence or publishing false and malicious, obscene or bullying statements concerning a customer, Team members, supervisor, other xxxx official or its services;
- Excessive tardiness and/or absenteeism;
- Destruction, vandalism or misuse of xxxx or customer property;
- Unauthorized use of xxxx' s devices, computers, passwords or computer programs.
- Purchasing, selling, possessing or using drugs at any time on xxxx property or being under the influence of drugs at any time while on duty.
- Selling anything on xxxx property without the authorization of management.
- Making false accusations of harassment against fellow team members, guests, or agents.
- Requesting or accepting a "kick-back" or any other remuneration from a guest, vendor, or agent.
- Violating health or safety rules; creating or contributing to unsanitary, hazardous or poor housekeeping conditions.
- Misappropriation or any collusion involved in the misappropriation of funds, company property, or expected profits due xxxx.
- Failing to follow cash handling procedures and/or mishandling of company funds.
- Improperly possessing or using any xxxx key, including but not limited to losing, misplacing, loaning, duplicating, altering, or removing any xxxx keys from an authorized area.

### **Non-Fraternization**

In order to avoid misunderstandings, complaints of favoritism, other problems of supervision and morale, and the potential for unlawful harassment claims, managers and supervisors are strongly discouraged from dating or pursuing romantic relationships with team members whom they supervise (directly or indirectly). Managers and team members are restricted from dating or pursuing romantic relationships with guests and/or customers of the restaurant while on property, on duty, or while representing xxxx in a professional capacity. Violation of this guideline will not be tolerated.

## Company Benefits

### Paid Leave for All Workers

The company provides paid leave benefits to all workers to take time away from work for any reason.

Full time employees will receive forty (40) paid leave hours per year. Unused paid leave benefit hours do not accumulate from year to year.

All other employees will earn leave at a rate of 1 hour for every 40 hours worked up to a maximum of 40 hours within a year. Accrued hours will roll over from year to year up to the cap of 40 hours, as the law provides that an employer is only required to allow for the use of 40 of those hours.

All employees are eligible to begin taking Paid Leave after 90 days of employment.

### Workers Compensation

If you are injured or become ill on the job, report your accident or illness immediately to your supervisor. A failure or delay in reporting a work-related illness or injury could cause a delay or denial in payment of your medical bills.

In addition to notifying your supervisor immediately, you must fill out the appropriate forms provided by your supervisor within 24 hours of the injury. Delay in reporting the injury may result in delayed payment of workers compensations benefits. Reporting of incidents must happen in a timely manner regardless of the severity of the injury. In most states, a post-accident drug test will be conducted as directed by your supervisor as a part of our Drug Free Workplace initiative.

### Use of Guest Facilities

We are proud of our restaurant facilities and hope that all team members will be equally proud. When you are off duty, Team members may dine at a table. Team members must be out of uniform when patronizing the restaurant and are not allowed to sit at the liquor bar. During certain high volume, peak times throughout the year, employee discounts may be unavailable for use at management discretion. Check with your manager if you have questions about the timing of black out times.

### Discounts

Staff Meal: Staff meals may be purchased at a 50% discount on food items if a Team member is eating on a break from your shift. At times this may be prior to your shift with approval from your manager or after your shift Please order your meal and ask a manager to approve your order.

Off-hour Dining: While patronizing **Luna Park Ilc** restaurants when you are not working, you are eligible to receive a 35% discount on your meal (excluding alcohol) for yourself and up to 3 guests. Please do not forget that as a guest it is customary to tip on the full price of your purchase. Blackout dates may apply. Check with your manager if you have questions about the timing of black out times.

## Time off

### Bereavement Leave

If there is a death in your immediate family, you are currently eligible for up to three paid workdays to arrange for or attend funeral services. This benefit is available to both full-time and part-time Team members upon the first day of hire.

Immediate family is defined as your spouse, domestic partner, significant other, parents, parent-in-laws, children, siblings, brother and sisters-in-law, grandparents, grandchildren, legal guardian or those living in your same household.

In the event of a death of a near relative, you are currently eligible for one paid day to attend a funeral. Near relatives include your aunts, uncles, nieces and nephews, and your spouse's grandparents, and other close relatives.

Bereavement leave pay will be paid at the current rate of pay or minimum wage for tipped Team members. If more time off is needed than provided above, you may take vacation days upon the approval of your supervisor. If you do not have vacation days, you may take unpaid time off upon the approval of your supervisor.

### Jury Duty

All Team members qualify for this benefit upon first date of hire.

xxxx encourages you to meet your civic responsibility when you are called for jury duty. If you receive a summons for jury duty, present it to your supervisor as soon as possible so arrangements can be made to cover your work load.

You are granted time off for jury duty and will be paid at your regular rate of pay for up to 3 consecutive days while out. Jury duty cannot be used in determining overtime because overtime is based on actual hours worked. If you are excused from jury duty during normal work hours, you are expected to report to work.

### Voting

You may take up to 2 hours off to vote only if you are not able to vote outside of work hours

### Military Leave

Team members granted a military leave of absence are re-employed and paid in accordance with the laws governing veteran's re-employment rights.

### Personal Leaves of Absence

A non-medical, personal leave of absence, without pay, may be granted to full time team members who have completed at least 6 months of service. Several factors are considered in determining whether or not the leave is granted:

- The Team member's performance and length of service with xxxx and at the restaurant.

- The urgency of the situation prompting the leave request.

Except for emergencies, personal leaves must be approved at least four weeks in advance. All leaves, regardless of length, must have the approval of the General Manager

During leave, vacation accrual and company paid benefits are suspended. Medical and dental insurance, as well as any other Team member paid benefits, may be continued by arranging for the payment of premiums prior to the beginning of the leave. Bereavement leave is not granted while on leave.

Team members who return from approved personal leave may be reinstated to a position of like status and pay if such a position is available and they are qualified. However, there is no job guarantee.

Returning Team members may not be required to satisfy new waiting periods before resuming participation in benefit programs in which they were previously enrolled, provided they re- turn to full time work status upon the expiration of their leave. Team members who do not return to work at the expiration of their approved leave are terminated.

### **School Leave**

You may take up to 8 hours per year to attend your child's conferences or classroom activities. Time off may be limited to 4 hours at a time. If you would like to request time off speak to the GM.

### **Family and Medical Leave (FMLA)**

#### Eligibility for Leave

Any Team member who has been employed by xxxx at least 12 months and has worked at least 1,250 hours during the 12 months preceding the commencement of a leave of absence is eligible for a family or medical leave of absence if certain conditions are met. An Team member will be returned to the same or equivalent position held prior to leave, with the exception of certain highly compensated Team members. These Team members may be denied job restoration if such restoration will cause grievous economic injury to the operations of the business.

An eligible Team member may take a leave for one of the following reasons:

#### Medical Leave

- The inability of the Team member to perform an essential function of his or her position due to a serious health condition or pregnancy disability.

#### Family Leave

- Father's attendance at birth of child.
- Parent's care of a newborn, if completed within 12 months following birth of child.
- Placement of a son or daughter with the Team member for adoption or foster care, if completed within 12 months after date of placement.
- Care for a spouse, child (under 18 years or disabled) or parent of the Team member who has a serious health condition.

If the necessity for the leave is foreseeable, an Team member must notify **xxxx** of the request for leave 30 days in advance. If the leave is foreseeable based on a planned medical leave, the Team member also must make a reasonable effort to schedule treatment so as not to unduly disrupt **xxxx** operations.

If the leave is unforeseeable, the Team member is expected to give notice to the employer of the need for FMLA leave as soon as practicable under the circumstances, i.e., within one or two working days.

A team member requesting a foreseeable leave must complete a "Leave of Absence Request for Family or Medical Leave" and provide appropriate documentation, as may be re-quested, to verify the reasons for the leave. Any request for leave based on a serious health condition, whether it involves the Team member or a family member, must be made in a timely manner and be supported by appropriate medical certification. Documentation confirming family relationship, adoption, or foster care may be required.

If the leave stems from an Team member's medical condition, the medical certificate must specify that the Team member is unable to perform an essential function of his or her job, including the duration of such a work restriction. For leaves stemming from the medical condition of a family member, the medical statement must specify that the Team member is needed to care for the family member. In all cases of leave for serious health condition, **xxxx** reserves the right to request a second medical opinion at its own expense.

Failure to provide notification and appropriate medical certification in a timely manner may result in delayed approval or denial of leave. Continued absence after denial of leave may result in disciplinary action up to and including termination.

#### Length of Leave

Each eligible Team member may be granted an unpaid family or medical leave for a period up to 12 weeks measured forward from the date the Team members first FMLA leave begins, except where both spouses work for the **xxxx**. In this case, the spouses are limited to 12 weeks of leave in total during this 12-month period unless the leave is necessitated by the serious health condition of the Team member or that of the Team member's spouse or child.

#### Benefits During Leave

During FMLA leave, **xxxx** will exhaust any accrued vacation leave at the beginning of your leave, concurrent to your leave. If collecting workers' compensation or disability payments, an Team member may not use vacation time.

A Team member on an unpaid family or medical leave of absence will be retained on the **xxxx** health plan during their leave provided they continue to pay their portion of the health insurance premium. If the Team member is receiving paychecks during leave (through vacation pay), health insurance deductions will be taken from those paychecks. Team members will not accrue vacation benefits during any portion of FMLA leave. Bereavement leave is not granted while on leave. However, employment benefits earned by the Team member up to the day on which the family or medical leave of absence begins are not lost.

In the event that a Team member fails to return from family or medical leave, the Team member will be liable for the premiums paid by the employer to maintain insurance coverage unless:

- (1) the Team member's failure to return to work stems from the continuation, recurrence or onset of a serious health condition of the Team member, or a family member; or
- (2) the failure to return stems from circumstances beyond the control of the Team member.

#### Return from Leave

A Team member on leave is required to report periodically on their status and intent to report to work. A Team

member (except for certain highly compensated Team members) upon returning from leave will be reinstated to the same or an equivalent position subject to the rules of FMLA. Medical certification is required verifying a Team member's ability to return to work from medical leave. Failure to return to work on the day after the expiration of leave will result in termination of employment.

#### Reduced Work Schedule/Intermittent Leave

In a limited circumstance as described below, a Team member who is eligible for family or medical leave may be permitted to work a reduced schedule or receive periodic time off from work. In cases of a serious health condition of the Team member or a family member, such leave may be permitted in circumstances when it is medically necessary. Appropriate medical certification will be required. However, where a reduced work schedule or intermittent leave is foreseeable based on planned medical treatment, xxx reserves the right to temporarily transfer the Team member to a comparable position that better accommodates the Team member's recurring periods of leave.

In other cases in which Team members are eligible for family or medical leave such as pregnancy disability, and care of a child, adoption, or placement of a child, xxx may review the individual circumstances involved in considering reduced schedule or intermittent leave requests. xxx may take into account the Team member's length of service, number of requests, duties, workload, and Team member's job performance in making such decisions. Intermittent leave will not be granted beyond 12 months following the birth of the child.

Any time off permitted, based on a reduced work schedule or intermittent leave, will be treated in the same manner as absences under the family and medical leave policy, and such absences will be applied against the leave permitted under such policy.

## Emergency Procedures

### Fire or Emergency Situation

In case of emergency (such as fire, robbery, bomb threats, etc.), the manager should be notified immediately. In the event of an emergency, you must ensure that the restaurant manager is briefed fully on the exact location and extent of the emergency before taking any other action. You will be instructed regarding additional emergency procedures specific to your restaurant. In the event of injury, the manager will contact the appropriate people who are qualified to handle the situation.

If you discover a fire or an emergency situation, notify your manager or call a designated emergency extension immediately. Remain calm and give:

- Your Name
- Your Position
- Exact Location
- Extent and Nature of Fire or Emergency Situation

Never attempt to put out a fire unless you have been previously trained. Always notify your manager or dial the designated emergency extension even if you have been trained in fire procedures. Report all potential fire hazards to your manager.

### Safety and Security

It is xxxx's goal to maintain a high standard of Team member health and safety. To achieve these high standards, we try to maintain a safe, healthy, efficient, and productive work environment. Toward this end, we provide training, safeguards, and programs to prevent accidents, to prevent damage to property, and to promote safety.

Team members are responsible to abide by all applicable safety rules and regulations contained in xxxx's Risk Control Manual. We expect Team members to do their job in a manner that ensures their personal safety and that of fellow Team members.

### Team member Files

Your Team member file is maintained in the management office, accounting office or human resources office. It contains information on your employment, performance and salary history. In order to keep personnel and payroll records updated, you are required to notify your General Manager or Human Resources Department whenever there is a change in either your name, marital status, address, exemptions or telephone number.

If you wish to schedule an appointment to review your Team member file, contact your General Manager or Human Resources Department.

**ACKNOWLEDGEMENT OF THE HANDBOOK**

I, \_\_\_\_\_, acknowledge reviewing and understanding  
xxx Team Member Handbook titled "Luna Park Team Members Handbook". I understand it is my responsibility to read and to become familiar with the contents of the handbook, and to recognize and comply with the policies, rules, and guidelines contained in it, as explained in notices posted, in memos posted from time to time on bulletin boards and in my work area, and as otherwise communicated to team members by the company.

I pledge to always strive to create an image of professionalism and to demonstrate concern at all times. Furthermore, I also pledge to work with guests, patrons, managers, and fellow team members in a positive, supportive and cooperative manner at all times. I understand and agree that the Company may revise, rescind or modify any portion of the Handbook at any time and that I shall be bound by such change. I also understand that this Handbook does not constitute a contract oral, written or otherwise as a guarantee of employment.

Finally, I state my understanding that violation of any of xxx's policies and procedures will be considered grounds for disciplinary action up to and including termination.

Should I ever have any questions about the policies or procedures set forth, I will contact my manager.

I understand that my employment can be terminated, at any time, at the option of either the company or myself. I further understand that no department head, supervisor, or representative of the Company other than the owner or general manager has the authority to enter into any agreement for employment for any specific time or make any agreement contrary to the foregoing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\* A copy of this statement will be placed in your personnel file.